

Attorney(s) name(s) and state bar number (space below for  
Law Firm filing stamp only)  
Address  
Telephone number  
Facsimile number  
E-mail address

Attorney(s) for Protestant

**SAMPLE PROTEST**

**3070 Termination (15 Day Notice)**

STATE OF CALIFORNIA

NEW MOTOR VEHICLE BOARD

In the Matter of the Protest of )  
NAME OF DEALERSHIP, ) Protest No. (leave blank)  
Protestant, )  
v. ) **PROTEST**  
NAME OF MANUFACTURER/DISTRIBUTOR, ) [V.C. sec. 3070]  
Respondent. )  
\_\_\_\_\_ )

Protestant, \_\_\_\_\_, through its attorney(s), files  
this protest under the provisions of California Vehicle Code section  
3070 and alleges as follows:

1. Protestant is a new recreational vehicle dealer selling  
\_\_\_\_\_ and is located at \_\_\_\_\_.  
Protestant's telephone number is \_\_\_\_\_.

2. Respondent distributes/manufactures \_\_\_\_\_  
products and is the franchisor of Protestant.

3. Protestant is represented in this matter by [Name of  
Attorney or Protestant (if representing self)], whose address and  
telephone number are \_\_\_\_\_.

///

1           4.    On or about \_\_\_\_\_, Protestant received from  
2 Respondent a notice that Respondent intends to terminate its existing  
3 franchise agreement effective **15 days** from Protestant's receipt of  
4 said notice.

5           5.    Protestant generally denies each and every allegation  
6 contained in the written notice of termination.

7           6.    Respondent does not have good cause to terminate the  
8 franchise by reason of the following facts:

9           (a)   Protestant has made a substantial and permanent investment  
10 in the dealership.

11           (b)   Protestant has transacted and is transacting an adequate  
12 amount of \_\_\_\_\_ business compared to the business available to  
13 it.

14           (c)   Protestant has fulfilled the warranty obligations to be  
15 performed by it.

16           (d)   The extent of any failure of Protestant to comply with the  
17 terms of the franchise agreement is immaterial.

18           (e)   Protestant has adequate recreational vehicle sales and, if  
19 required by the franchise, service facilities, equipment, vehicle  
20 parts, and qualified service personnel to reasonably provide for the  
21 needs of \_\_\_\_\_ buyers and owners in the market area and is  
22 rendering adequate services to the public.

23           (f)   It would be injurious to the public welfare for the  
24 franchise to be terminated or for Respondent to refuse to continue the  
25 existing franchise.

26           7.    Protestant and its attorney(s) desire to appear before the  
27 Board and estimate that the hearing in this matter will take \_\_\_\_\_  
28 days to complete.

1           8.    A Pre-Hearing Conference is requested.

2 WHEREFORE, Protestant prays as follows:

3           1.    That the Board sustain this protest and order Respondent not  
4 to terminate Protestant's franchise.

5           2.    That pending the hearing in this matter, the Board or its  
6 authorized representative immediately order Respondent not to  
7 terminate Protestant's franchise until such time as Respondent has  
8 established good cause for such actions under the provisions of  
9 Vehicle Code sections 3070 and 3071.

10  
11 DATED: \_\_\_\_\_

12  
13  
14 By \_\_\_\_\_

15                   Attorney(s) name(s)  
16                   (original signature required)

17                   \* \* \* \* THE PROTEST MAY NOT BE PROCESSED WITHOUT AN \* \* \* \*  
18                   ATTACHED PROOF OF SERVICE AND A \$200.00 CHECK TO  
19                   COVER PROTESTANT'S FILING FEE  
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